

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

JERRIN JAMES ANDREWS,	)	Civ. 14-4043-KES
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER DISMISSING CASE FOR
	)	FAILURE TO PAY INITIAL
KATIE DUNN, in her official capacity;	)	PARTIAL FILING FEE
STATE OF SOUTH DAKOTA, in its	)	
individual capacity; and	)	
CHILD VOICE, Sanford Hospital, in	)	
its official capacity,	)	
	)	
Defendants.	)	

This matter is before the court on its own motion. On March 10, 2014, plaintiff filed his complaint in this matter along with a motion for leave to proceed in forma pauperis. Dockets 1, 2. On March 20, 2014, the court granted plaintiff leave to proceed in forma pauperis and assessed an initial partial filing fee pursuant to 28 U.S.C. § 1915(b)(1). Docket 6. In doing so, the court warned plaintiff that his case would be dismissed if he failed to pay the initial partial filing fee by April 21, 2014.

The April 21, 2014, deadline has passed, and plaintiff has neither paid the initial partial filing fee in this matter nor asked for an extension of time in which to do so. Plaintiff's case is therefore dismissed for failing to comply with the court's order. *See* Fed. R. Civ. P. 41(b); *see also Conley v. Holden*, No. 03-3908, 2004 WL 2202452, at \*1 (8th Cir. Sept. 21, 2004) (affirming district

court's dismissal of inmate's case for failing to pay the assessed initial partial filing fee). Accordingly, it is

ORDERED that plaintiff's complaint (Docket 1) is dismissed without prejudice because plaintiff failed to comply with this court's orders. A separate judgment will be entered in accordance with this order.

Dated April 30, 2014.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER  
UNITED STATES DISTRICT JUDGE